

REMARKS

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-7, 11-15, 17-31, 33-46 and 58 are currently pending
- Claims 8, 9, 16, 55-57 and 59 are canceled herein
- Claims 1, 17-19, 21, 29 and 44-46 are amended herein

[0003] Claim 1 is amended to include subject matter from dependent claims 8, 9, 16 and 55.

[0004] Claims 17-19 are amended to change dependency from currently canceled claim 16 to independent claim 1.

[0005] Claim 21 is amended to incorporate subject matter from dependent claim 56.

[0006] Claim 29 is amended to incorporate subject matter from dependent claim 57.

[0007] Claim 44 is amended to incorporate subject matter from dependent claim 59.

Claims 44-46 and 59 Recite Statutory Subject Matter Under § 101

[0008] Claims 44-46 and 59 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection. Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends claims 44-46 as shown above. Claim 59 has been canceled herein as shown above. Applicant respectfully submits that these amendments and cancellation render the § 101 rejection moot.

Cited Documents

[0009] The following documents have been applied to reject one or more claims of the Application:

- **Jaisimha:** Jaisimha et al., U.S. Patent No. 6,487,663
- **Robbin:** Robbin, U.S. Patent No. 6,731,312
- **Kimura:** Kimura, U.S. Patent No. 6,744,975
- **Horie:** Horie et al., U.S. Patent Application Publication No. 2002/0094191
- **Thompson:** Thompson et al., U.S. Patent No. 5,091,938
- **Hazra:** Hazra, U.S. Patent No. 6,510,553

Claims 1-9, 15, 16, 18-20, 29-34, 36-40, 42, 55, 57 and 58 Are Non-Obvious over Jaisimha in view of Robbin

[0010] Claims 1-9, 15, 16, 18-20, 29-34, 36-40, 42, 55, 57 and 58 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Jaisimha in view of Robbin. Applicant respectfully traverses the rejection.

Independent Claim 1

[0011] Applicant submits that the Office has not made a prima facie showing that independent claim 1 as amended is obvious in view of the combination of Jaisimha and Robbin. Applicant submits that the combination of Jaisimha and Robbin does not teach or suggest at least the following features of this claim, as amended (with emphasis added):

1. (Currently Amended) A method implemented on a computing device by a processor configured to execute instructions, that, when executed by the processor, direct the computing device to perform acts comprising:

receiving multimedia content from a source;

creating a linked set of components to process the multimedia content;

determining if the computing device has an authority to record the multimedia content, **wherein the determining if the computing device has the authority to record is based on a predetermined protocol with the source, wherein the predetermined protocol is based on encryption and decryption keys shared with the source;**

selectively providing a recording component in the linked set of components to record the multimedia content if the computing device is determined to have the authority to record the multimedia content;

rendering the multimedia content with use of the linked set of components, **wherein the linked set of components does not include the recording component if the computing device is determined not to have the authority to record the multimedia content; and**

establishing a user interface component to the recording component, wherein the user interface component has a view associated therewith, **wherein the user interface component is destroyed when a differing view of the user interface component is chosen.**

[0012] Claim 1 as amended recites in part, "wherein the determining if the computing device has the authority to record is based on a predetermined protocol with the source, wherein the predetermined protocol is based on encryption and decryption keys shared with the source." The Office cites Jaisimha, col. 2, lines 33-50 and col. 9, lines 37-42 as

teaching these elements and features. (Office Action, page 6 in rejecting dependent claims 8 and 9.) Jaisimha, col. 2, lines 33-50 teaches:

Another embodiment of the present invention is a method for regulating types of access to a media file. The method comprising the steps of (1) placing an access code in a media file, the media file stored in a media storage accessible by a media server, the media server connected to a network, the access code indicating that data in the media file may be transmitted in accordance with at least one permitted transmission protocol; (2) requesting the media file with a media player, the media player connected to the network, the request specifying an intended transmission protocol to use in transmitting the media file over the network in response to the request; (3) transmitting the access code to the media player with the media server; and (4) checking the access code with the media player to determine whether the intended transmission protocol is one of the at least one permitted transmission protocols. Another aspect of the embodiment further comprises encrypting the access code within the media file, and decrypting the access code with the media player to perform the checking.

[0013] Jaisimha, col. 9, lines 37-42 teaches:

In another step 706, the media file encoder encrypts the 32-bit field. In one embodiment, the media file encoder uses a private key protocol such as DES (digital encryption standard) wherein both the media file encoder and a decoding entity such as, for example, the media player 506, share a private key. Once the 32-bit field is encrypted, the media file encoder, in the step 706, adds the encrypted 32 bits to an additional 96 bits generated at random to create a 128-bit field which is added to the header of the media file 318.

[0014] Applicant respectfully traverses that Jaisimha teaches or suggests “wherein the determining if the computing device has the authority to record is based on a predetermined protocol with the source, wherein the predetermined protocol is based on encryption and decryption keys shared with the source” as presently claimed by independent claim 1. Instead of teaching “determining if the computing device has the authority to record”, Jaisimha teaches that an access code is placed in a media file and that the access code indicates that the data in the media file may be “transmitted in accordance with at least one permitted **transmission protocol**.” (Emphasis added for clarity. See Jaisimha, col. 2, lines 31-49). Jaisimha further teaches that the “intended transmission protocol [is] used in transmitting the media file over the network in response to [a] request.” Id.

[0015] The protocol mentioned within Jaisimha does not teach or suggest that the authority to record is based on a predetermined protocol. Instead, Jaisimha teaches that transmission of the media file across a network is done in accordance with a transmission protocol. Id.

[0016] In addition, Jaisimha does not teach that the authority to record is based on a predetermined protocol with the source, “wherein the predetermined protocol is based on encryption and decryption keys shared with the source.” (See claim 1 as presently amended). Instead, Jaisimha teaches that the media file is encoded using “a private key protocol.” (See Jaisimha, col. 9, lines 37-42). Applicant would respectfully point out that Jaisimha does teach that a media file can be encrypted utilizing keys, but Jaisimha fails to teach that the **authority to record** is based upon the encryption and decryption keys being shared between the source and the computing device.

[0017] Claim 1 also recites in part, "wherein the linked set of components does not include the recording component if the computing device is determined not to have the authority to record the multimedia content." Applicant appreciates the Examiner's acknowledgement that Jaisimha fails to explicitly teach that the linked set of components does not include the recording component if the computing device is determined not to have the authority to record the multimedia content. (Office Action, page 5). The Office instead cites Robbin, FIG. 3 and FIG. 4 as teaching these elements and features. (Office Action, page 5.) Robbin FIG. 3 teaches:

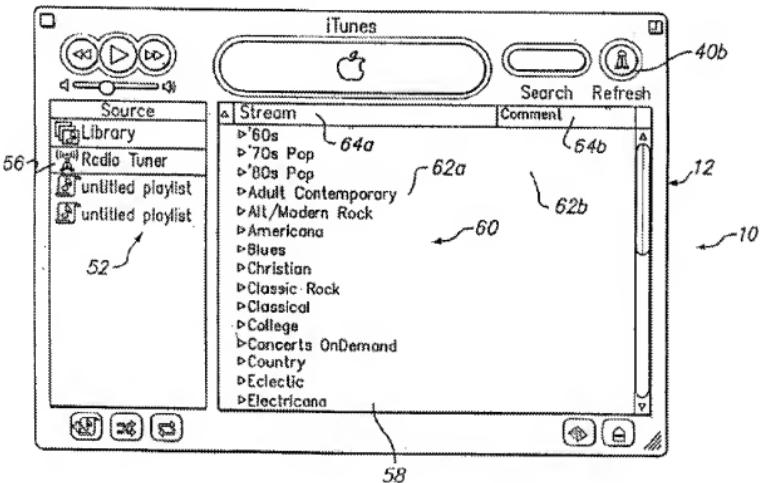


FIG. 3

[0018] Robbin FIG. 4 teaches:

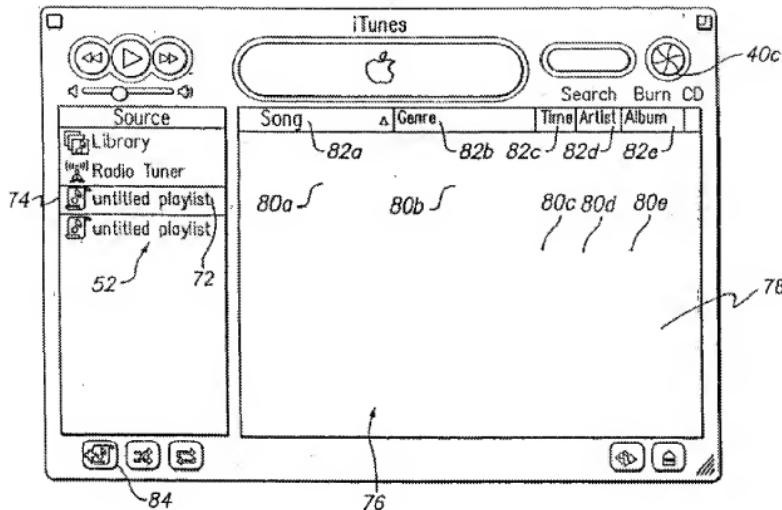


FIG. 4

[0019] Applicant respectfully traverses that Robbin teaches or suggest "wherein the linked set of components does not include the recording component if the computing device is determined not to have the authority to record the multimedia content." Robbin FIG. 4 shows that a burn CD button 40c utilized to record media to a CD can be displayed in the frame 12. (See Robbin, col. 3, lines 54-65). Robbin further teaches that the burn CD button 40c may be the same as the browse button 40a as described in conjunction with FIGS. 1-2 and the refresh button 40b described in conjunction with FIG. 3. *Id.* Robbin teaches that you can have the burn button shown in the user interface, but Robbin fails to teach or suggest that the burn CD button 40c will not be

included "if the computing device is determined not to have the authority to record the multimedia content" as presently claimed by independent claim 1.

[0020] Finally, claim 1 as amended recites in part, "wherein the user interface component is destroyed when a differing view of the user interface component is chosen." The Office cites Jaisimha, FIG. 3 as teaching these elements and features. (Office Action, page 9 in rejecting dependent claim 55.) Jaisimha, FIG. 3 teaches:

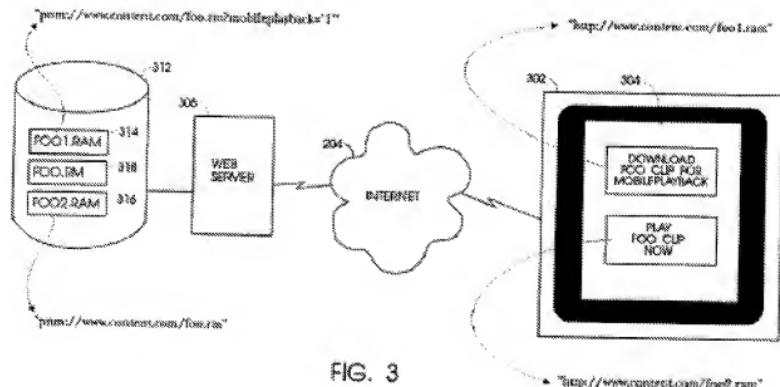


FIG. 3

[0021] Applicant respectfully traverses that Jaisimha teaches or suggest "wherein the user interface component is destroyed when a differing view of the user interface component is chosen." Jaisimha FIG. 3 shows an embodiment wherein a user access a media file via the internet. (See Jaisimha, col. 6, lines 15-23). The web page 304 includes a download hyperlink and a play hyperlink. (See Jaisimha, col. 6, Lines 24-33). Jaisimha does not teach or suggest that "the user interface component is destroyed when a differing view of the user interface component is chosen." No where

within FIG. 3 is it suggested a user interface is destroyed, let alone destroyed when “a differing view of the user interface component is chosen.”

[0022] Consequently, the combination of Jaisimha and Robbin does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Dependent Claims 2-7, 11-15 and 17-20

[0023] Claims 2-7, 11-15 and 17-20 ultimately depend from independent claim 1. As discussed above, claim 1 is allowable over the cited documents. Therefore, claims 2-7, 11-15 and 17-20 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Independent claim 29 and dependent claims 30, 31, and 33-36

[0024] Applicant respectfully contends that the arguments set forth above with respect to independent claim 1, as amended, applies with equal weight here and the cited art does not teach or suggest all of the claimed elements and features of independent claim 29. Accordingly, Applicant respectfully asks the Examiner to withdraw the rejections of claim 29.

[0025] Claims 30, 31 and 33-36 ultimately depend from independent claim 29. As discussed above, claim 29 is allowable over the cited documents. Therefore, claims 30, 31 and 33-36 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Independent claim 37 and dependent claims 38-43 and 58

[0026] Applicant respectfully contends that the arguments set forth above with respect to independent claim 1, as amended, applies with equal weight here and the cited art does not teach or suggest all of the claimed elements and features of independent claim 37. Accordingly, Applicant respectfully asks the Examiner to withdraw the rejections of claim 37.

[0027] Claims 38-43 and 58 ultimately depend from independent claim 37. As discussed above, claim 37 is allowable over the cited documents. Therefore, claims 38-43 and 58 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Independent claim 44 and dependent claims 45 and 46

[0028] Applicant respectfully contends that the arguments set forth above with respect to independent claim 1, as amended, applies with equal weight here and the cited art does not teach or suggest all of the claimed elements and features of independent claim 44. Accordingly, Applicant respectfully asks the Examiner to withdraw the rejections of claim 44.

[0029] Claims 45 and 46 ultimately depend from independent claim 44. As discussed above, claim 44 is allowable over the cited documents. Therefore, claims 45 and 46 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Claims 21, 23-28 and 56 Are Non-Obvious over Jaisimha in view of Robbin, Kimura and Thompson

[0030] Claims 21, 23-28 and 56 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Jaisimha in view of Robbin, Kimura and Thompson. Applicant respectfully traverses the rejection.

Independent Claim 21

[0031] Applicant submits that the Office has not made a prima facie showing that independent claim 21 as amended is obvious in view of the combination of Jaisimha, Robbin Kimura and Thompson. Applicant submits that the combination of Jaisimha, Robbin Kimura and Thompson does not teach or suggest at least the following features of this claim, as amended (with emphasis added):

21. (Currently Amended) A method implemented on a computing device by a processor configured to execute instructions, that, when executed by the processor, direct the computing device to perform acts comprising:

receiving a stream of multimedia content from a source;
separating the streamed multimedia content into audio content and video content;

determining if the computing device has an authority to record the audio content and the video content;

initiating a first linked set of components to process the audio content, and a second linked set of components to process the video content;

creating a first recording component in the first linked set of components to record the audio content if the computing device is determined to have the authority to record the audio content, and a second recording component in the second linked set of components to

record video content if the computing device is determined to have the authority to record the video content, wherein the authority to record the audio content is independent of the authority to record the video content; [[and]]

providing audio output from the first linked set of components and video output from the second linked set of components, with the first recording component being omitted from the first linked set of components if the computing device is determined not to have the authority to record the audio content and the second recording component being omitted from the second linked set of components, if the computing device is determined not to have the authority to record the video content; and

establishing a user interface component to the recording component, wherein the user interface component has a view associated therewith, and destroying the user interface component when a differing view of the user interface component is chosen.

[0032] Claim 21 as amended recites in part, “destroying the user interface component when a differing view of the user interface component is chosen.” The Office cites Jaisimha, FIG. 3 as teaching these elements and features. (Office Action, page 9 in rejecting dependent claim 56.) Jaisimha, FIG. 3 teaches:

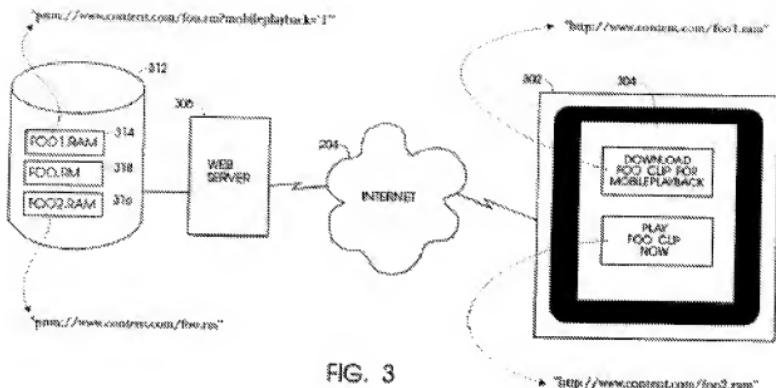


FIG. 3

[0033] Applicant respectfully traverses that Jaisimha teaches or suggest "wherein the user interface component is destroyed when a differing view of the user interface component is chosen." Jaisimha FIG. 3 shows an embodiment wherein a user access a media file via the internet. (See Jaisimha, col. 6, lines 15-23). The web page 304 includes a download hyperlink and a play hyperlink. (See Jaisimha, col. 6, Lines 24-33). Jaisimha does not teach or suggest that "the user interface component is destroyed when a differing view of the user interface component is chosen." No where within FIG. 3 is it suggested a user interface is destroyed, let alone destroyed when "a differing view of the user interface component is chosen."

[0034] Consequently, the combination of Jaisimha and Robbin does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Dependent Claims 22-28

[0035] Claims 22-28 ultimately depend from independent claim 21. As discussed above, claim 21 is allowable over the cited documents. Therefore, claims 22-28 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Conclusion

[0036] If any issues remain that would prevent allowance of this application, Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.

Respectfully Submitted,

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